

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

PRAETORIAN INSURANCE COMPANY

PLAINTIFF

V.

CIVIL ACTION NO. 5:12CV21 DPJ-FKB

HAL BROWN, REGAN ISLAND HUNTING  
CLUB, LLC, T.M. LUSTER, JACK SISTRUNK,  
AND CURT POWELL

DEFENDANTS

ORDER

This declaratory judgment action is before the Court on Motion of Defendants T.M. Luster and Jack Sistrunk to Dismiss by Way of Settlement of Underlying Cause of Action [25]. Plaintiff Praetorian Insurance Company agrees with the premise of Defendants' motion, but opposes dismissal at this time, based on the fact that the proposed Judgment of Dismissal with Prejudice of the state court action has not been signed by the parties to the suit or the presiding judge.

Accordingly, the Court finds that it should defer ruling on Defendants' motion to dismiss [25]. The parties are instructed to update the Court on the status of the dismissal of the state court action within thirty (30) days. Due to the settlement, the Court further finds that the remaining pending motions [15, 21] should be terminated.

**SO ORDERED AND ADJUDGED** this the 19<sup>th</sup> day of March, 2013.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE